

IFW

Docket No. AVERP3447USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant: Sjoerd J. van Driesten

Serial No: 10/796,758

Filed: March 9, 2004

For: **RESEALABLE CLOSURES FOR PACKAGES AND METHODS OF MAKING AND USING THE SAME**

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned



INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed, except for (a) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120, and (b) copies of each cited U.S. patent and each U.S. patent application publication in accordance with the waiver of the requirement under 37 CFR 1.98(a)(2)(i) for submission of U.S. patent references in applications filed after June 30, 2003, as published in the Official Gazette Notice dated 5 August, 2003.

Serial No.: \_\_\_\_\_  
Filing Date: \_\_\_\_\_

Regarding any document, publication or other information for which a date is not given on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information, should issue arise.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- (a) \_\_\_\_ A copy of each English language version of a search report (or EPO Search Report) indicating the degree of relevance found by the foreign office of each document being submitted from the search report, is being submitted herewith or has previously been submitted.
- (b) \_\_\_\_ Attached is a "Concise Explanation of Relevance of Non-English Language Documents".

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

- (a) X Within 3 months of the filing date or date of entry into the National Stage.
- (b) \_\_\_\_ Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988 for consideration of this Statement.
- (c) \_\_\_\_ Before the mailing date of a first Office Action on the merits after a first or second submission after final rejection under 37 C.F.R. 1.129(a).

(d) \_\_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) \_\_\_\_ The required certification is given below, or

(2) \_\_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) \_\_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988

(e) \_\_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) \_\_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p), or

(2) \_\_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 18-0988.

4. Certification (if applicable)

(a) \_\_\_\_ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

(b) \_\_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

By Heidi A. Boehlefeld  
Heidi A. Boehlefeld, Reg. No. 34,296

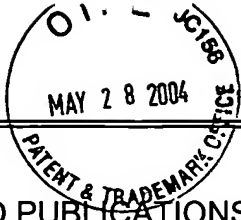
1621 Euclid Avenue, 19th Floor  
Cleveland, Ohio 44115  
(216) 621-1113

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 25, 2004

Denise G. Gunvalsen  
Denise G. Gunvalsen



Form PTO-1449 (Modified)  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	Atty Docket No.	Serial No.
	AVERP3447USA	10/796,758
	Applicant: Sjoerd J. van Driesten	
	Filing Date	Group
	03/09/04	Not Yet Assigned

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	3,113,986	12/1963	Breslow et al.	260	683.9	
	3,154,239	10/1964	Madsen	229	62	
	3,251,905	05/1966	Zelinski	260	879	
	3,300,370	01/1967	Epstein, et al.	161	190	
	3,390,207	06/1968	Moss et al.	260	879	
	3,598,887	08/1971	Darcy et al.	260	879	
	3,620,988	11/1971	Cohen	260	17.4	
	3,639,521	02/1972	Hsieh	260	880	
	3,648,923	03/1972	Young	229	67.3	
	3,691,140	09/1972	Silver	260	78.5	
	3,726,945	02/1972	Ludwig et al.	260	857	
	3,827,625	08/1974	Miller	229	62	
	3,912,581	10/1975	Fink et al.	162	164	
	3,997,383	12/1976	Bieler et al.	156	244	
	4,166,152	08/1979	Baker et al.	428	522	
	4,173,669	11/1979	Ashida et al.	428	35	
	4,208,356	06/1980	Fukawa et al.	525	89	
	4,219,627	08/1980	Halasa et al.	525	89	
	4,226,952	10/1980	Halasa et al.	525	192	
	4,230,830	10/1980	Tanny et al.	525	222	
	4,233,367	11/1980	Ticknor et al.	428	476.3	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Information Disclosure Statement PTO-1449 (Modified)**

The identification of any reference is not intended to be, and should not be understood as being, an admission that such publication, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given reference may have a later effective date than first seems apparent or the reference may have an effective date which can be antedated. The "prior art" status of any reference is a matter to be resolved during prosecution.

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	4,239,826	12/1980	Knott, II et al.	428	35	
	4,254,169	03/1981	Schroeder	428	35	
	4,260,061	04/1984	Jacobs	383	203	
	4,274,848	06/1981	La Gro	96	6	
	4,347,332	08/1982	Odorzynski et al.	524	169	
	4,411,659	10/1983	Jensen, et al.	604	332	
	4,427,825	01/1984	Degrassi et al.	525	56	
	4,441,613	04/1984	Hain et al.	206	621	
	4,457,960	07/1984	Newsome	428	35	
	4,461,808	07/1984	Mollison	428	475.8	
	4,468,427	08/1984	Degrassi et al.	428	220	
	4,479,818	10/1984	Briggs, et al.	55	385.4	
	4,490,145	12/1984	Campbell	604	333	
	4,495,318	01/1985	Howard	524	375	
	4,500,021	02/1985	Bildusas	225	49	
	4,512,479	04/1985	Hain et al.	206	632	
	4,543,139	09/1985	Freedman et al.	156	152	
	4,557,780	12/1985	Newsome et al.	156	244.11	
	4,578,429	03/1986	Gergen et al.	525	291	
	4,584,217	04/1986	McClintock	428	40	

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	4,598,112	07/1986	Howard	524	78	
	4,599,265	07/1986	Esmay	428	355	
	4,622,799	11/1986	Boston	53	415	
	4,629,663	12/1986	Brown et al.	428	343	
	4,645,711	02/1987	Winslow et al.	428	355	
	4,657,970	04/1987	Shiraki et al.	525	57	
	4,687,711	08/1987	Vietto et al.	428	515	
	4,690,322	09/1987	Burns	229	80	
	4,724,185	02/1988	Shah	428	339	
	4,786,696	11/1988	Bohnel	526	88	
	4,795,781	01/1989	Miyamoto et al.	525	58	
	4,795,782	01/1989	Lutz et al.	525	66	
	4,826,493	05/1989	Martini et al.	604	327	
	4,828,915	06/1989	Schroeder et al.	428	332	
	4,833,179	05/1989	Young et al.	522	183	
	4,834,731	05/1989	Nowak et al.	604	339	
	4,840,270	06/1989	Caputo et al.	206	205	
	4,846,504	07/1989	MacGregor et al.	283	102	
	4,851,290	07/1989	Vicik	428	334	
	4,871,265	10/1989	Peck	383	89	
	4,880,592	11/1989	Martini et al.	264	514	

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	4,906,495	03/1990	Martini et al.	428	36.7	
	4,911,563	03/1990	Ciani	383	89	
	4,911,963	03/1990	Lustig et al.	428	36.91	
	4,915,289	04/1990	Hatano et al.	229	123.1	
	4,952,628	08/1990	Blatz	525	58	
	4,973,323	11/1990	Kaczmarek, et al.	604	339	
	4,983,171	01/1991	Schirmer	604	332	
	5,009,648	04/1991	Aronoff, et al.	604	332	
	5,013,307	05/1991	Broida	604	338	
	5,035,518	07/1991	McClintock	383	70	
	5,040,903	08/1991	Schramer	383	70	
	5,043,205	08/1991	Perazzo et al.	428	215	
	5,044,776	09/1991	Schramer et al.	383	89	
	5,051,259	09/1991	Olsen, et al.	424	443	
	5,053,259	10/1991	Vicik	428	36.91	
	5,077,109	12/1991	Lustig et al.	428	36.91	
	5,110,390	05/1992	Martini et al.	156	244.11	
	5,141,793	08/1992	Fontanilla	428	42	
	5,180,635	01/1993	Plamthottam et al.	428	345	
	5,203,806	04/1993	Broida	604	338	
	5,246,751	09/1993	White et al.	428	35.4	

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	5,290,842	03/1994	Sasaki et al.	524	271	
	5,322,876	06/1994	Sasaki et al.	524	366	
	5,330,454	07/1994	Klingler, et al.	604	338	
	5,346,482	09/1994	Metz, et al.	604	338	
	5,348,546	09/1994	Norton	604	333	
	5,407,713	04/1995	Wilfong et al.	428	34.1	
	5,417,678	05/1995	Baumann et al.	604	333	
	5,427,849	06/1995	McClintock et al.	428	353	
	5,437,595	06/1995	Smith	493	213	
	5,455,091	10/1995	Oreglia et al.	428	36.1	
	5,470,526	11/1995	Wilfong, et al.	428	36.6	
	5,470,624	11/1995	Oreglia et al.	428	36.1	
	5,492,943	02/1996	Stempel	523	111	
	5,496,295	03/1996	Wilfong, et al.	604	332	
	5,549,587	08/1996	Norton	604	333	
	5,567,488	10/1996	Allen et al.	428	34.1	
	5,567,489	10/1996	Allen et al.	428	34.1	
	5,582,820	12/1996	Yamamoto et al.	424	76.6	
	5,606,846	03/1997	Raby et al.	53	415	
	5,616,385	04/1997	Rothrum et al.	428	40.1	
	5,618,276	04/1997	Leise, Jr., et al.	604	336	

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Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	5,643,375	07/1997	Wilfong, et al.	156	244.24	
	5,656,705	08/1997	Mallya et al.	526	233	
	5,658,625	08/1997	Bradfute et al.	428	34.9	
	5,663,228	09/1997	Sasaki et al.	524	271	
	5,681,627	10/1997	Mueller	428	35.2	
	5,714,225	02/1998	Hansen, et al.	428	114	
	5,730,919	03/1998	Wilfong, et al.	264	173.11	
	5,776,120	07/1998	Shelley et al.	604	339	
	5,824,380	10/1998	Hagen	428	41.9	
	5,846,620	12/1998	Compton	428	35.7	
	5,855,434	01/1999	Hagen	383	89	
	5,857,582	01/1999	Schulz	220	269	
	5,865,819	02/1999	Cisko, Jr., et al.	604	339	
	5,873,483	02/1999	Gortz et al.	220	269	
	5,888,335	03/1999	Kobe et al.	156	306.3	
	5,895,694	04/1999	Zavadsky et al.	428	36.7	
	5,938,647	04/1999	Smith	604	332	
	5,983,604	11/1999	Wilfong, et al.	53	449	
	5,989,235	11/1999	Quacquarella, et al.	604	332	
	5,992,674	11/1999	Schulz	220	359.4	
	6,048,100	04/2000	Thrall et al.	383	86	

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Examiner Initial	Document Number	Date (MM/YYYY)	Name	Class	Sub-class	Filing Date if Appropriate
	6,056,141	05/2000	Navarini et al.	220	269	
	6,093,276	07/2000	Leise, Jr., et al.	156	249	
	6,096,387	08/2000	Decker	427	510	
	6,106,507	08/2000	Botten, et al.	604	338	
	6,110,586	08/2000	Johnson	428	352	
	6,113,271	09/2000	Scott et al.	383	211	
	6,120,184	09/2000	Laurence et al.	383	205	
	6,129,716	10/2000	Steer	604	333	
	6,135,986	10/2000	Leisner et al.	604	322	
	6,143,383	11/2000	Giori	428	35.2	
	6,197,010	03/2001	Leise, Jr., et al.	604	338	
	6,214,935	04/2001	Sasaki et al.	525	89	
	6,231,553	05/2001	Hulett	604	333	
	6,241,390	09/2001	Schneck	383	203	
	6,258,423	07/2001	Giori	428	36.7	
	6,293,930	09/2001	Brunsgaard et al.	604	322	
	6,299,355	10/2001	Schneck	383	205	
	6,315,448	11/2001	Thrall	383	205	
	6,376,095	04/2002	Cheung et al.	428	516	
	6,517,243	02/2003	Huffer et al.	383	88	
	2002/0023924	02/2002	Wisniewski et al.	220	359.1	

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## FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Sub-class	Translation	
						Yes	No
	00/46316	08/2000	WO				
	0661154	07/1995	EP				

## OTHER ART

Examiner Initial	Author, Title, Date, Pertinent Pages, etc.
	EDITORIAL, "Reclosable Pet Food Bag Label Is a Breed Apart," Packaging Digest, June, 2000, page 68, New York.
	PCT/US02/23499; PCT International Search Report mailed December 19, 2002.

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R:\Heidi\Avery\3447\3447USA IDS.wpd (IDS1449.FRM) (2/97)